

IEPA Log No.: **C-0032-16**
CoE appl. #: **CEMVR-OD-P-2016-0048**

Public Notice Beginning Date: **March 23, 2016**
Public Notice Ending Date: **April 13, 2016**

Section 401 of the Federal Water Pollution Control Act
Amendments of 1972

Section 401 Water Quality Certification to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Applicants for discharge of fill or dredged material that will qualify for Regional Permit 16 Bank Stabilization Activities

Discharge Location: All Illinois Counties except Cook, DuPage, Kane, Lake, McHenry and Will Counties

Name of Receiving Water: Waters of the United States within the State of Illinois

Project Description: Re-issuance of Regional Permit 16 Bank Stabilization Activities in the State of Illinois.

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the certification application, the IEPA may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing. If a Section 401 water quality certification is issued, response to relevant comments will be provided at the time of the certification. For further information, please call Darren Gove at 217/782-3362.

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The U.S. Army Corps of Engineers (Corps), Rock Island, St. Louis, Louisville, and Memphis Districts, (“Applicant”) have applied for a 401 Water Quality Certification and reissuance of Regional Permit 16 for impacts associated with the placement of fill material for bank stabilization in waters of the United States within the State of Illinois, except in Cook, DuPage, Kane, Lake, McHenry, and Will Counties. This regional permit, originally issued on May 17, 1983, has been reissued approximately every 5 years and is set to expire on March 11, 2016. Bank stabilization techniques including blanket riprap, seawalls, gabions, minor bank shaping with appropriate biotechnical streambank protection techniques, bendway weirs, longitudinal peaked stone riprap, stone hardpoints, stream barbs, and rock riffles will be authorized under this regional permit. Any bank stabilization methods not specifically listed in the Corps’ 404 regional permit must be approved by the Illinois EPA and the Illinois Department of Natural Resources, Office of Water Resources (IDNR-OWR). Several general restrictions must be met for all bank stabilization projects; a partial list of these restrictions is listed below:

- Total affected length of shoreline, stream bank, or channel to be protected shall not exceed 1000’
- Only reaches experiencing erosion are covered under this regional permit
- Does not authorize activities such as stream channelization or channel modifications
- Fill material consisting of only clean, uncontaminated materials shall be properly sized and anchored to resist anticipated forces of current and wave action
- Disturbance of vegetation kept to a minimum during construction to prevent erosion and sedimentation
- Does not authorize discharge of fill into wetland areas
- The Corps may require an individual permit on a case-by-case basis

Information used in this review was obtained from the Applicant in a document entitled Regional Permit 16 Bank Stabilization Activities in the State of Illinois dated February 2016 and the Corps Public Notice issued January 28, 2016.

Identification and Characterization of the Affected Water Body.

The Regional Permit 16 may be applied to those water bodies within the boundaries of the U.S. Army Corps of Engineers (Corps), Rock Island, St. Louis, Louisville, and Memphis Districts. These water bodies are General Use waters within the State of Illinois. This permit does not apply to the Corps Chicago District which covers Cook, DuPage, Kane, Lake, McHenry, and Will Counties.

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

The pollutant load increases that would occur from this project include some possible increases in total suspended solids. These increases, a normal and unavoidable result of bank stabilization may occur at the point of the activity. Negative impacts to aquatic life uses should be minimal.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. Projects authorized under the proposed permit will repair and stabilize streambanks using a variety of methods throughout the state of Illinois.

Purpose and Social & Economic Benefits of the Proposed Activity.

The primary purpose of this project is to reduce the amount of shoreline, streambank, and channel erosion in waters of the United States within the State of Illinois.

Assessment of Alternatives for Less Increase in Loading or Minimal Environment Degradation.

The assessment of the activities allowed under the reissuance of this permit finds that the general and special conditions and limitations as defined by the proposed permit would assure that the projects would be completed in a manner that minimized environmental degradation.

Agency Conclusion

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time the assessment was written. We tentatively find that the renewal of Regional Permit 16 proposed for general 401 Water Quality Certification, with applicable special conditions, would have minimal individual and cumulative impacts on the aquatic resources within the State of Illinois. These activities are therefore compliant with the Antidegradation standard and no further evaluation under 35 Ill. Adm. Code 302.105 (Antidegradation standard) will be required. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.